

# **Exhibit A**

***In re National Prescription Opiate Litigation: MDL 2804-Track Three***  
***Summary Sheet of Concise Issues Raised***

**Motion:** Defendants' *Daubert* Motion to Exclude the Opinions Offered by Caleb Alexander

**Concise Description of the Issue:** Should this Court exclude the opinions of Caleb Alexander in Phase One of the Track 3 trial?

*Answer:* Yes. Alexander's opinions should be excluded for the same reasons briefed in Track 1.

In addition, Alexander's abatement opinions should be excluded in Phase One because the jury will not consider abatement issues and therefore his abatement opinions are irrelevant in Phase One.

Alexander also reported that in addition to his abatement opinions, he reviewed literature with respect to certain potential indicators of high-risk opioid distribution. This list was derived from the opinions of another of Plaintiff's experts, Carmen Catizone, and should be excluded for the same reasons as briefed in support of Defendants' Motion to Exclude Catizone.

In addition, Alexander admitted that he made no attempt to apply his discussion of indicators to Defendants, and was instead leaving that to be done, if at all, by other experts such as Catizone. If the Court grants Defendants' motion to exclude Catizone, it should also exclude Alexander's related opinions as they would have no connection to Defendants and would be irrelevant and would not assist the jury.

**Previous Briefing and Opinions:** The previous briefing from Track One on this issue is located at ECF Nos. 1865, 1895, 1899, 1956, 1974, 1999, 2000, 2175, 2443, and 3007. This Court's opinion is located at ECF No. 2519.